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Chairman's Report/Executive Director's Report/November 20, 1997

½ 1. Call to Order/Attendance.

± 2. Public Comments.

PAT: This is the time for public comments on any item NOT on the agenda.

Á 3. Minutes of the September 25, 1997 Meeting.

Needs: MOTION; SECOND; and VOICE VOTE

Á 4. Chairman's Report.

PAT: The next meeting of the Commission is scheduled for Thursday, January 22, 1998, in the Jean Harvie Community Center. Tentatively schedule d for that meeting are: Review of the Annual Report; a briefing by CALFED staff on the program; and a briefing by Chuck Raysbrook, Director of the Department of Boating and Waterway, on closure of Delta Waterways.

In addition, I would like to agendize a discussion and public hearing on the future of the Commission. As you know, unless action is taken by the Legislature, the Commission will sunset on January 1, 1999. I will ask staff to put together some issues to discuss, but I would like you to bring your ideas to the next meeting.

Finally, I have asked staff to schedule an update on the Prospect Island project, to convert/restore agriculture land in Solano County to water-covered habitat. The State and federal environmental document is now circulating and comments are due December 1.

Upcoming Events: California Duck Days: Feb. 7&8 in Davis, co-hosted by Yolo Basin Foundation and California Waterfowl Association.

Á 5. Attorney General's Report.

PAT: Call on Dan Siegel.
(TRI-TAC)

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6. Executive Director's Report.

PAT: Call on Margit.

MARGIT:

In the Mailing Packet: Next year's meeting schedule; revised Commission roster; & Copies of the final letters sent on the issues discussed at the last meeting: CALFED ERPP; and fish screens on water intakes in the Delta. I have tried to set up a meeting with CALFED staff to review the letter, but no meeting has yet been held. No final action on the Corps maintenance permits, but believe that there will not be a regional requirement, however, the fisheries agencies reserve the right to review maintenance permits for impacts to fish. Will have to wait and see if Commission's pitch was successful.

DISTRIBUTED AT THE MEETING:

* Central Delta Water Agency Letter re fish screens. IN the October 6, 1997 Formal Programmatic Consultation prepared by US Fish and Wildlife Service for the Corps re: nationwide permits, the in-water work window has been expanded from aug 1 - Sep 14, to Aug 1 - Nov 30. In addition, at the request of the Delta Levees Habitat Committee, the consultation outlines specifically the information needed to request an extension of the work window. The Corps will ask for case by case evaluation of: areas which have never been riprapped, and installation of new, or replacement of existing siphons or diversion pumps which divert water between Dec 1 and July 31.

* Two articles on Mitten Crabs; as you may recall from the Commission's background reports on the Environment, there are a number of exotic species in the Delta of almost every size and type, from protozoan to derby winning striped bass. In addition to Egeria densa, an exotic plant we will discuss later, the Mitten Crab is a threat to Delta levees. In additional Corps actions, the Corps is circulating a public notice (PH 199700613) dated November 3, 1997, which explains the existing exemptions, nationwide and general permits that are available for flood control and damage

repair activities.

* For your information, staff has distributed a copy of the protocol for Closure of Delta Waterways prepared by OES, as directed by the Governor's FEAT report. The protocol leaves oversight of the large commercial vessels with the Coast Guard, but delegates more control over recreational vessels to the County Sheriffs and the DBW.

* Monitoring of Grasslands Bypass Project: (WALTER'S MEMO). Walter Kornichuk has been reviewing the monitoring reports, attended the oversight committee meeting, and prepared memo to update the Commission on the Grasslands Bypass Project which uses the existing portion of the San Luis Drain to transport ag drainage water around an extensive wetlands habitat area and releases the water into Mud Slough which drains into the San Joaquin River and the Delta. As outlined in the memo, the project has been monitored for almost one year, and the project has had difficulty meeting the seleniune discharge standards in the months of April and May. Staff will continue to monitor the project; no other activity regarding the San Luis Drain itself is underway. Are there any questions?

* Lake Davis: The Lake was treated on October 15, 1997. The testing of the Lake's waters is continuing; 50 ppm now down to 10 ppm; needs to get to one to be deemed safe by Department of Health Services.

Department of Conservation has announced 97-98 grants for Land Stewardship Program for cities, counties and private non-profit organizations; applications are due December 15, 1997.

Big Break: The EBRPD has not yet finalized agreements between the existing duck blind hunters in the area; staff indicates that will continue to move forward.

Release of State of the Estuary report: 1992 to 1997. Let me know if you would like a copy.

7. Pending Projects Memo.

PAT: any questions or comments; for Commission Information Only.

MARGIT: Note Co Co County's new right to farm ordinance; and DEIR for Baldwin Ship Channel dredging vs. On-land pipeline; letter sent supporting on land alternative which would have fewer impacts on Delta water quality.

8. Briefing on Submittal from San Joaquin County Regarding Conformance with Amendment to the Land Use and Resource Management Plan for the Primary Zone of the Delta.

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PAT: Call on Margit.

MARGIT. This agenda item is similar to others the Commission has reviewed early. After the Commission amended the Plan to include P-3 as a regulation, all the local governments were contacted and asked to indicate what amendments were needed to bring local general plans into conformance with the Commission's Plan. San Joaquin County planning department staff has submitted a letter which indicates the County's recently adopted sludge placement ordinance ensures conformance with P-3.

If the Commission agrees, no further action is required, and staff will send a letter of concurrence. If the Commission believes this matter needs further consideration, a public hearing should be set for the next meeting.

PAT: Any questions of staff? Does anyone believe this matter needs a public hearing or further consideration by the Commission? If not, staff will send a letter to San Joaquin County agreeing with staff's submittal letter.

9. Update on CALFED Program.

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The staff will update the Commission on CALFED activities including the Ecosystem Restoration Program Plan.

PAT: Report on BDAC; then turn over to Margit.

(Distinguishing characteristics; Should an HCP be part of the program; Impacts of B2 water-CVPIA)

MARGIT: As you know, Walter Kornichuk has been attending most of the BDAC Work Group meetings. Since the Commission's last meeting, he and I both attended the Blue Ribbon Scientific Review Panel discussion of the ERPP which lasted four days, and the Public Meeting held in Walnut Grove on November 5; Walter has attended three Ecosystem Roundtable meetings; two Ecosystem Restoration Meetings; meetings on Water Transfers and Assurances; and the two day November BDAC meeting. In your packet, you received a memo with key points and recommendation of the Scientific Review Panel; and an update on the Category III grants program. That memo indicates that the last actions before the grants are selected is review by the CALFED Policy Group (the State and Federal agencies) on November 24-25. On pages 8-Habitat Types, and 11-Geographical Area, and p. 14-Funding Summary for Delta Area, you can get a hint as to what is proposed for funding.

At the December BDAC meeting, the CALFED staff proposes to outline the final versions of the alternatives; the DEIR release date is estimated to be January-February.

Ecosystem Roundtable: Didn't get to participate in the selection of the Category III grants due to the process selected; the state contracting regulations. This week a subcommittee presented a new "Blueprint" for better coordination and participation for the Roundtable in the next round of evaluating Category III grants. In addition, the Roundtable wants to work with the other Work Groups such as the Assurances work group.

Ecosystem Restoration Work Group: Has been evaluating the input of the Blue Ribbon Scientific Review Panel; Staff will be presenting a new work plan to modify the ERPP based on the input of the Blue Ribbon Panel.

Assurances Work Group: Has been developing a template for implementing one of the three alternatives; they selected the dual conveyance alternative. They are trying to figure out all the actions and steps that would be needed to implement that alternative; including funding, new laws, new implementing and oversight agencies, etc.

Water Transfers Work Group: Has been reviewing existing transfers throughout the State, and will develop a water transfer program that address local physical and socio-economic impacts. There has been a lot of attention paid to protecting existing aquifers.

à 10. Briefing on Zebra Mussels.

PAT: We have with us tonight Jodi Cassell, Sea Grant Marina Advisor for San Mateo and San Francisco Counties and Shawn Simpson, Research Assistant, are here tonight to brief the Commission on the freshwater zebra mussel invasion. Sea Grant is educating California citizens and government agencies about the mussel and how they can help prevent the spread of this exotic species.

PRESENTATION

PAT: Any Commission questions or comments?

Any public questions or comments?

à 11. Briefing on the Department of Boating and Waterways Egeria
à Densa Control Program.

PAT: Pat Thalken, from the staff of the Department of Boating and Waterways, is here to brief the Commission on the status of the Egeria densa control program mandated by Senator Rainey's AB 1263, signed into law in September 1996.

The Briefing is for Commission Information Only.

PRESENTATION

PAT: Are there any questions or comments from the Commission?

Are there any public questions or comments?

b 12. Commissioner Comments/Announcements.

b 13. Adjournment.